

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

COMMODITY FUTURES TRADING COMMISSION

Plaintiff

Case Number

21-cv-1919

vs.

JOHN DAVID MCAFEE AND JIMMY GALE
WATSON, JR.

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

SECURITIES AND EXCHANGE COMMISSION

Plaintiff

Case Number

20-CV-8281 (JGK)

vs.

JOHN DAVID MCAFEE AND JIMMY GALE
WATSON, JR.

Defendant

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

☒X
Open

(If so, set forth procedural status and summarize any court rulings.)

The complaint has been filed and the case is in a preliminary stage. The Court has granted additional time for service of the summons and complaint.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Local Rule 13(a)(1) provides:

"In determining relatedness, a judge will consider whether (A) the actions concern the same or substantially similar parties, property, transactions or events; (B) there is substantial factual overlap; (C) the parties could be subjected to conflicting orders; and (D) whether absent a determination of relatedness there would be a substantial duplication of effort and expense, delay, or undue burden on the Court, parties or witnesses."

Here, it appears that "(A) the actions concern the same or substantially similar parties, property, transactions or events," *namely* the same defendants and allegations of certain similar events relating to improper conduct concerning digital assets; "(B) there is substantial factual overlap," *namely*, allegations relating to improper conduct concerning digital assets during similar timeframes; "(C) the parties could be subjected to conflicting orders," *namely*, the defendants in each action could be subjected to conflicting orders.



Signature: _____

03/05/2021

Date: _____

COMMODITY FUTURES TRADING COMMISSION

Firm: _____